.. IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBN. PETITION NO. 384 OF 2004

M/s Poshdecor .. Petitioner

vs

Airports Autho.of India Ltd .. Respts.

..

Mr Uday Shankar Samudrala for etr.

Ms Pereira i/bMs RekhaRajgopal forRespt no.1

..

Coram: S.U.Kamdar, J

Date: 8th December, 2004.

P.C.

1. It is admitted position before me that the awarded amount in the sum of Rs.47,850/- has been accepted by the petitioner. Cheque for the said amount is encashed. The learned counsel for the petitioner however states that at the time of receiving the amount, present petition was already pending since the same was filed in this court much earlier. According to him, in view of the pendency of petition his right to challenge the award is not

affected even after accepting the amount awarded by the arbitrator.

2. In my view, once the amount is accepted without any protest by the petitioner, the present petition is not maintainable. Petition is dismissed. No order as to costs.

S.U.KAMDAR, J